

Message Text

UNCLASSIFIED

PAGE 01 STATE 055701
ORIGIN EB-08

INFO OCT-01 ARA-10 ISO-00 TRSE-00 L-03 FRB-01 OMB-01
ITC-01 SP-02 USIA-15 AGRE-00 AID-05 CIAE-00 COME-00
INR-07 IO-13 LAB-04 NSAE-00 OIC-02 SIL-01 STR-04
CEA-01 /079 R

DRAFTED BY EB/OT/GCP - RREIS
APPROVED BY EB/OT/GCP - SAHMAD
ARA/ECA - T SHUGART - (SUBS)
CUSTOMS - DRAMSAY (INFO)
-----122203Z 012220 /70
R 120300Z MAR 77
FM SECSTATE WASHDC
TO AMCONSUL SAO PAULO
INFO AMEMBASSY BRASILIA

UNCLAS STATE 055701

E.O. 11652: N/A

TAGS: ETRD, BR

SUBJECT: UNCTAD FORM A

REF: SAO PAULO 0568

1. THE DEPARTMENT APPRECIATES THE CONSULATE GENERAL'S
HELP IN DETERMINING THE PROBLEM WITH THE ISSUANCE OF THE
UNCTAD FORM A FOR CERALIT'S SHIPMENT TO YORK CASTOR OIL
COMPANY. THE REFTEL LEADS US TO BELIEVE, HOWEVER, THAT
THE FOREIGN TRADE DEPARTMENT OF THE BANCO DO BRAZIL
(CACEX) MISUNDERSTANDS WHAT IT CERTIFIES WHEN IT
COMPLETES THE UNCTAD FORM A. THE FORM IS MEANT TO
CERTIFY THAT THE EXPORT MEETS THE REQUIREMENTS OF
SECTION 503(B) OF THE TRADE ACT, WHICH PROVIDES THAT
"THE DUTY-FREE TREATMENT PROVIDED UNDER SECTION 501
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 055701

WITH RESPECT TO ANY ELIGIBLE ARTICLE SHALL APPLY ONLY--

(1) TO AN ARTICLE WHICH IS IMPORTED DIRECTLY FROM A
BENEFICIARY DEVELOPING COUNTRY INTO THE CUSTOMS
TERRITORY OF THE UNITED STATES; AND

(2)(A) IF THE SUM OF (I) THE COST OR VALUE OF THE

MATERIALS PRODUCED IN THE BENEFICIARY DEVELOPING
COUNTRY PLUS (II) THE DIRECT COSTS OF PROCESSING

OPERATIONS PERFORMED IN SUCH BENEFICIARY DEVELOPING
COUNTRY IS NOT LESS THAN 35 PERCENT OF THE APPRAISED
VALUE OF SUCH ARTICLE AT THE TIME OF ITS ENTRY INTO
THE CUSTOMS TERRITORY OF THE UNITED STATES; ..."
THE CERTIFYING AUTHORITIES ARE NOT ASKED TO ATTEST
THAT THE EXPORT FALLS INTO A PARTICULAR TSUS CATEGORY.
THE DETERMINATION OF THE TARIFF CATEGORY IS THE DUTY
OF THE US CUSTOMS SERVICE.

2. THE CONSULATE GENERAL SHOULD DISCUSS THE MATTER
WITH THE CERTIFYING AUTHORITIES AT THE BANCO DO BRAZIL
AND POINT OUT WHAT THE US REQUIRES OF THEM IN THE
UNCTAD FORM A. YOU SHOULD INFORM THEM THAT THE YORK
CASTOR OIL CO. BELIEVES THAT THE PROPER CLASSIFICATION
OF THE ITEM AS ORIGINALLY INVOICED IS ELIGIBLE FOR GSP.
ISSUANCE OF THE FORM DOES NOT INSURE GSP TREATMENT
BUT AN OTHERWISE ELIGIBLE ITEM WILL NOT RECEIVE GSP
TREATMENT WITHOUT THE PROPER CERTIFICATE OF ORIGIN.
YOU SHOULD THEREFORE REQUEST THE AUTHORITIES TO
ISSUE THE FORM A ON THE BASIS OF THE ORIGINAL INVOICE
IF IT MEETS THE RULES OF ORIGIN REQUIREMENTS.

3. PLEASE INFORM CERALIT OF THE RESULTS OF YOUR
CONVERSATION WITH THE BANCO DO BRAZIL AND REPORT TO
THE DEPARTMENT.

VANCE

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 055701

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: GENERALIZED PREFERENCES (TARIFFS), BUSINESS FIRMS, TRADE CONTROLS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE055701
Document Source: CORE
Document Unique ID: 00
Drafter: RREIS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770086-0532
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770365/aaaacfar.tel
Line Count: 97
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ba9024b9-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 SAO PAULO 568
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Sep-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3125507
Secure: OPEN
Status: NATIVE
Subject: UNCTAD FORM A
TAGS: ETRD, BR, US
To: SAO PAULO
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ba9024b9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009